

**UNITED STATES COURT OF APPEALS**

**June 15, 2006**

**FOR THE TENTH CIRCUIT**

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**Elisabeth A. Shumaker**  
**Clerk of Court**

TERRY L. HILL,

Plaintiff-Appellant,

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security  
Administration,

Defendant-Appellee.

No. 05-5045  
(D.C. No. 99-CV-1090-M)  
(N.D. Okla.)

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**ORDER AND JUDGMENT\***

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Before **LUCERO**, **EBEL**, and **MURPHY**, Circuit Judges.

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Terry L. Hill appeals the district court's denial of an award of attorney fees under 42 U.S.C. § 406(b)(1). In *McGraw v. Barnhart*, \_\_ F.3d \_\_, No. 05-5079 (10th Cir. June 13, 2006), this court held that § 406(b)(1) allows an award of fees when the district court has remanded a Title II Social Security case for further

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\* After examining the briefs and appellate record, this panel has determined unanimously to grant the parties' request for a decision on the briefs without oral argument. See Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

proceedings. Thus, the judgment of the district court is REVERSED and REMANDED for further proceedings in light of *McGraw*. Appellant's motion to file an addendum of recent citations is GRANTED and the Clerk is directed to accept the addendum for filing as of the date of original receipt.

Entered for the Court

David M. Ebel  
Circuit Judge